

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

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DATE

April 21, 2021

MOTOR CARRIER MATTER

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DOCKET NO.

2020-218-E

UTILITIES MATTER

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ORDER NO.

SUBJECT:

DOCKET NO. 2020-218-E - Alex Kadoshnikov, Complainant/Petitioner v. Duke Energy Carolinas, LLC, Defendant/Respondent - Staff Presents for Commission Consideration the Effect of Res Judicata on this Complaint Matter and Duke Energy Carolinas, LLC's Motion to Compel and Request to Hold Testimony Deadline and Hearing in Abeyance.

COMMISSION ACTION:

I move that the Commission grant the Motion to Compel with regard to Duke Energy Carolinas' first discovery requests, and hold in abeyance a ruling on whether to compel answers to the second discovery requests at this time. With regard to the first discovery requests, the response by the Complainant related to invoking the Fifth Amendment to the United States Constitution is not valid, since the information requested by Duke cannot lead to criminal liability on the part of the Complainant. The Complainant will have fifteen (15) days from the date of the Order in this matter to respond to the First Duke Discovery Requests under my Motion. I further move that if the Complainant does not furnish the information requested in the first discovery requests, that the Commission consider dismissal of the Complaint and/or additional relief. It is duly noted that the Company has stated that the Complainant has until April 26 to respond to the Company's second set of discovery requests. Therefore I believe that it is premature for the Commission to rule on any Motion to Compel related to these requests.

I also move that the Commission stay any further pre-filing dates for testimony and exhibits, and the hearing date, until further notice of the Commission.

PRESIDING: J. WilliamsSESSION: RegularTIME: 11:00 a.m.

	MOTION	YES	NO	OTHER
BELSER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Present in Hearing Room
CASTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Present in Hearing Room
ERVIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Voting via Webex
POWERS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Present in Hearing Room
THOMAS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Voting via Webex
C. WILLIAMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Voting via Webex

J. WILLIAMS

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Present in Hearing Room

(SEAL)

RECORDED BY: J. Schmieding

